

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	
FAIRFIELD SENTRY LIMITED, et al.,)	Chapter 15 Case
Debtors in Foreign Proceedings.)	Case No: 10-13164 (SMB)
)	Jointly Administered
FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and)	
FAIRFIELD SIGMA LIMITED (IN LIQUIDATION), acting)	
by and through the Foreign Representatives thereof, and)	Adv. Pro. No. 10-03635
KENNETH KRYSS and CHARLOTTE CAULFIELD, solely in)	(SMB)
their capacities as Foreign Representatives and Liquidators)	
thereof,)	
)	
Plaintiffs,)	
-against-)	
ABN AMRO SCHWEIZ AG A/K/A ABN AMRO)	
(SWITZERLAND) AG, et al.,)	
)	
Defendants.)	
)	
This document is also being filed in the lead adversary)	
proceeding, <i>Fairfield Sentry Ltd. (in Liquidation), et al. v.</i>)	
<i>Theodoor GGC Amsterdam, et al.</i> , Adv. Pro. No. 10-03496.)	

**DEFENDANT-APPELLEES' JOINDER TO COUNTER-STATEMENT OF
ISSUES TO BE PRESENTED AND COUNTER-DESIGNATION OF ITEMS
TO BE INCLUDED IN THE RECORD ON APPEAL**

Defendant-Appellees Banque Cantonale Vaudoise, BCV AMC Defensive Alt
Fund, Compagnie Bancaire Helvétique SA, Lombard Odier Darier Hentsch & Cie, Rothschild
Bank AG Zurich (Dublin) a/k/a Rothschild Bank AG, Rothschild Bank Geneva (Dublin),
Edmond de Rothschild (Suisse) S.A., Rothschild Lugano Dublin a/k/a Banca Privata Edmond de
Rothschild Lugano S.A. and Société Générale Bank & Trust (together, the "ABV Defendants")
by and through their undersigned counsel, respectfully join, pursuant to Rule 8009 of the Federal

Rules of Bankruptcy Procedure and Rule 8009-1 of the Local Bankruptcy Rules for the Southern District of New York, in the Counter-Statement of Issues to be Presented and Counter-Designation of Items to be Included in the Record on Appeal of Defendants-Appellees BNP Paribas (Suisse) SA, BNP Paribas (Suisse) SA Ex Fortis, BNP Paribas (Suisse) SA Private, Caceis Bank Luxembourg, and HSBC (ECF No. 437)¹, with respect to the appeal by Plaintiffs in the above captioned adversary proceeding (the “Adversary Proceeding”) of the Stipulated Order Granting In Part And Denying In Part Moving Defendants’ Motions To Dismiss And Plaintiffs’ Motion For Leave To Amend entered April 15, 2019 (“Stipulated Order”), the December 6, 2018 Memorandum Decision (“December 6, 2018 Memorandum Decision”), and the August 6, 2018 Memorandum Decision and Order Regarding the Defendants’ Motions to Dismiss for Want of Jurisdiction (“August 6, 2018 Memorandum and Order”) (together, the “Appealed Decisions and Orders”) before the United States Bankruptcy Court for the Southern District Of New York.

RESERVATION OF RIGHTS

The ABV Defendants expressly reserve the right to supplement the record on appeal or cross-appeal and to adopt the designation of any items designated or counter-designated by any other appellant, cross-appellant, appellee, or cross-appellee to any of the appeals or cross-appeals from the Appealed Decisions and Orders.

¹ Unless otherwise specified, citations to (ECF No. ____) refer to docket entries from *Fairfield Sentry Limited, et al. v. ABN AMRO Schweiz AG a/k/a ABN AMRO (Switzerland) AG*, Adv. Pro. No. 10-03635-smb (SMB) (Bankr. S.D.N.Y.).

Dated: June 4, 2019
New York, New York

Respectfully submitted,

By: /s/ John F. Zulack
John F. Zulack
Christopher Allegaert

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S.A., Société Générale Bank & Trust*